

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

TIMOTHY W. BRACCINI

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

METRO-NORTH COMMUTER RAILROAD

07 CV 2997
JUDGE SCHEINDLIN

TO: (Name and address of defendant)

Metro-North Commuter Railroad
347 Madison Avenue
New York, New York 10017

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael H. Zhu, Esquire
14 Wall Street, 22nd Floor
New York, New York 10005

of counsel
Rudolph V. DeGeorge, II, Esquire
Barish Rosenthal
1717 Arch Street, Suite 4020, Phila., PA 19103

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

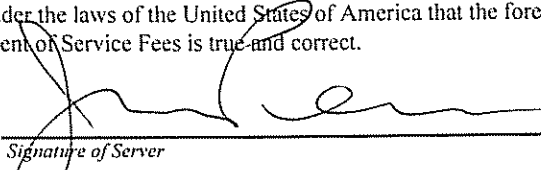
APR 16 2007

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

| RETURN OF SERVICE | | |
|--|--|-------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE <u>04/25/2007 1048AM 07CV2997</u> | |
| NAME OF SERVER (PRINT) <u>Juan Pereira</u> | TITLE <u>1 Process server</u> | |
| <i>Check one box below to indicate appropriate method of service</i> | | |
| <input type="checkbox"/> G Served personally upon the third-party defendant. Place where served: _____ | | |
| <input type="checkbox"/> G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ | | |
| <input type="checkbox"/> G Returned unexecuted: _____ | | |
| <input checked="" type="checkbox"/> G Other (specify): <u>Metro-North Commuter Railroad 347 Madison Avenue NY NY 10017 Accepted by Anna Vongatsanos, Senior Admin. female/Brown/Black Hair/Approx. 36-50yrs old/Approx 5'4"-5'8"/Approx. 135-160lbs</u> | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| | | |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> | | |
| Executed on <u>042520071048AM</u> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Date </div> <div style="text-align: center;">  Signature of Server </div> </div> <div style="text-align: center; margin-top: 10px;"> <u>Juan Pereira</u> <u>Woodside, NY 11377</u> Address of Server </div> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.